

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

October 24, 1974  
1:00 P.M.Electric Auditorium  
301 West Avenue

The meeting was called to order with Mayor Butler presiding.

## Roll Call:

Present: Councilmen Binder, Dryden, Friedman, Handcox, Lebermann,  
Mayor Butler, Mayor Pro Tem Love

Absent: None

The Invocation was delivered by DR. JOHN BARCLAY, Central Christian Church.

## APPROVAL OF MINUTES

Mayor Pro Tem Love moved that the Council approve the Special Meeting Minutes of October 15, 1974 (6:00 p.m.) and the Regular Meeting Minutes of October 17, 1974 (1:00 p.m.). The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro Tem Love, Councilmen Dryden, Handcox,  
Lebermann

Noes: None

Not in Council Chamber when roll was called: Councilmen Binder,  
Friedman

## APPOINTMENTS

Mayor Butler announced that the Council had been in an Executive Session earlier that day and that appointments were discussed and were now before the Council for action.

Special Community Relations Task Force

Councilman Handcox moved that the Council appoint the following to the Special Community Relations Task Force (to be comprised of the Human Relations Commission Subcommittee and 8 additional appointments):

## Human Relations Commission Subcommittee:

Mr. Joe Lung	Mr. Norman Eaton
Mrs. Ammon Wroe	Mr. Sam Winters
Mrs. Suzon Kemp	Mrs. Geneva Conally
Mr. Mack Ray Hernandez	Mr. Bill McMorris
Mrs. Merle Miles	

## Additional Appointments:

Father Fred Bomar	Lt. Ernie Henkle
Mr. Larry Jackson	Mr. H. C. Carter
Mr. Forrest McPhaul	Mr. Art Navarro
Mr. John Warfield	Mr. Paul Hernandez (or his designee)

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Binder, Dryden, Friedman,  
Handcox, Lebermann, Mayor Butler  
Noes: None

Mayor Pro Tem Love noted that it had been rumored that it was the intention of certain citizens to stage a march on Saturday, October 26, on Sixth Street in regard to alleged police brutality; and he hoped that this would not occur in that the Council had moved rapidly in appointing the aforementioned people to review police-community relations, as had been requested by some of the citizens.

Councilman Binder added that he felt it was appropriate for citizens to express their displeasure or pleasure at the City's facilities or at City meetings, but he felt it was inappropriate and not in the best interest of the groups involved to go to private property of individual members of the Council. He joined Mayor Pro Tem Love in requesting that the rumored course of action be abandoned.

Councilman Friedman hoped that the displeased citizens would spend their time getting citizens together to attend the Task Force's meetings and not a march. He stated that the Council was not trying to stifle free speech but to note that there were other alternatives.

Mayor Butler pointed out that the plan was to protest and march at his place of business on Sixth Street and that out of some 100 employees, about 20 or 30 were of the minority race and needed to make a living. He stated that Saturday was one of the busiest days and that a lot of innocent families were going to be hurt if this activity should take place.

## CONTINUED HEARING ON APPEAL OF SPECIAL PERMIT

Mayor Butler opened the continued public hearing from October 10, 1974, on an appeal by the Allandale Neighborhood Association of the decision of the Planning Commission granting Special Permit No. 74-07-3046 (a construction permit for a 60-inch floodwater drainage pipe). City Manager Davidson noted that on October 10, 1974, the Council requested that some additional work be done by the engineering staff. Mr. Charles Graves, Director of Engineering, reviewed this by stating that the subject study concerned a proposed storm sewer drainage project in the Shoal Creek watershed, draining an area much of which was located from MoPac Expressway to west of Balcones Drive to a point about 300 feet north of Northland Drive.

Mr. Graves further reviewed this with use of slides, noting that the present system was not adequate to drain the subject area without subjecting it to uncontrolled surface flow. He added that the project would enclose an open channel and would complete the system as originally designed with an additional line 60 inches in diameter.

He continued by stating that bids had been received, and the low bidder was J. C. Evans Construction for \$108,850; the project had been appealed by the Allandale Neighborhood Association; and the Council had directed that alternate solutions be investigated. He pointed out that the Shoal Creek study had recently been completed by the consulting engineers, Forrest & Cotton and Espey & Huston, and would be presented to the Council in November. He noted that the results of the study confirmed what the staff had known to be true in that much of the property along Shoal Creek would flood.

He indicated that the Master Plan for Shoal Creek, which would be forthcoming, would develop various alternatives by which this flooding might be abated with recommendations being made as a part of that Plan. He added that certain recommendations would be made prior to the completion of the Plan and would be submitted to the Council and would include small construction projects as well as some new proposed tools which would assist in the regulation of development within the watershed.

He pointed out that in order to reduce the size of or completely eliminate the proposed 60-inch storm sewer, detention or temporary storage of storm runoff must be provided within this sub-area; and detention elsewhere would not effect this storm sewer size. He noted that the problem was to identify the area that might be available for detention, to study the cost of providing such storage, and to consider the effect on the project. He reviewed various areas within the sub-area by use of slides. He stated that one particular area, which was very steeply sloped, could not capture nor store storm water because of its topography. He also reviewed possibilities for detention that were considered but discarded:

1. On-stream storage on the Creek itself. He noted that the Planning Commission had approved development of this area with the understanding that the Creek would be widened from bridge to bridge so that water would be stored in the Creek. He pointed out that the Creek was never widened and was one of the reasons there was flooding in this area.

2. The Gullett Elementary School ground. He stated that the School Board was very reluctant to store water at this location.
3. An area within the sub-area with a portion of the land being owned by the City in connection with MoPac. He noted that the conservative value of this land was \$75,000 per acre; therefore, he stated that the staff had used this figure as a part of their study of the cost of detention in this drainage sub-area. In response to Councilman Dryden's question, Mr. Graves stated that this would involve 6-1/2 acres. City Manager Davidson pointed out that this property was conservatively estimated to be worth about \$675,000 to the taxpayers if sold.

In response to Councilman Binder's question, Mr. Dick Lillie, Planning Department Director, stated that this land would be suitable for possible office building use, based on the past recommendations of the Planning Commission.

Mr. Graves reviewed the alternative systems that had been considered for solving this drainage problem:

1. Existing storm sewer system, which would require additional detention.

He stated that they had considered a storage requirement of 2.84 acre-feet and would involve the afore-mentioned 6-1/2 acre tract for this storage. He pointed out that the land cost would be \$488,000 with construction being \$72,000, for a total of \$560,000.

2. Existing system with the channel across the School yard being enclosed.

This would involve a cost of \$592,000.

Mr. Graves mentioned that in both cases, there would be an area that could not be drained by gravity into the storage area.

3. Use of some detention, but using a 36-inch additional storm sewer.

This would reduce the acreage required to 1.74 acre-feet of water which would be stored in 3.12 acres of land and would involve a cost of \$354,000.

4. Some detention with a 48-inch pipe.

This would reduce the acreage to 1.74 and would lower the cost to \$269,000.

5. Some detention with a 54-inch pipe.

6. No detention with a 60-inch pipe.

This would reduce the cost to \$108,850.

Mr. Graves stated that if the 36-inch line were selected, this would reduce the ultimate flow under flood conditions of water from this sub-area into Shoal Creek at the rate of 170 cubic feet per second so that the City would be storing runoff water at a relative rate of \$1,440 for every cubic foot per second that the flow was reduced. He pointed out that in the Master Study, their preliminary estimates of the decrease in flow that would be needed in Shoal Creek at this point would be 2,000 cubic feet per second.

He added that several sites were under investigation in this same watershed and further upstream, which were extremely promising in terms of the water that could be detained and in terms of the cost to the City. He reviewed a site that had been recommended by representatives of the Allandale Neighborhood Association on October 10, 1974. He felt that it was an excellent site that would involve \$20,000 and would detain the equivalent of 140 cubic feet per second; however, he noted that this was a canyon which involved privately-owned property.

In conclusion, he stated that the Engineering Department would recommend the following:

1. The appeal of the Association be denied, the contract be awarded to the low bidder, and the construction proceed as soon as possible on the project as now designed.
2. The City-owned property between Balcones Drive and MoPac Expressway be reserved for possible future use for detention in the event that more suitable areas outside this sub-area could not be acquired and constructed.
3. The Engineering Department be authorized to proceed on an emergency basis with the development of upstream storage plans to detain the equivalent of at least 600 cubic feet per second of peak storm runoff into Shoal Creek.
4. If upstream storage has not been demonstrated within 120 days to be feasible, reasonable, at a cost considerably less than the cost of storing it at this site, let the Engineering Department be directed to proceed with plans for construction of the detention at Balcones Drive on approximately 1.74 acres of land to detain sufficient water to reduce the flow by 170 cubic feet per second.

Councilman Friedman wanted to see the cost comparisons between construction on Balcones Drive and the area recommended by the Association. City Manager Davidson stated that he would be pleased to supply those figures; but he added that what the staff was saying was that even if this land had no other value at all, it would be the least effective way to store water.

In response to Mayor Butler's question, Mr. Graves indicated that reducing the flow to 600 cubic feet per second would go a long way toward solving the problem; but there would still be some flooding on the very lowest properties.

MR. C. W. HETHERLY, Chairman of the Planning Commission, appeared in connection with the Commission's denying the Association's appeal. He stated that the Commission's decision was based on Mr. Graves' information that the City would not be adding any water to the Creek, and the only difference as they understood it was the speed in which the water would travel to Shoal Creek. He stated that they were laymen and had to take the word of the staff; but as far as the environmental impact on the Creek, it was their opinion that it would have none. He added that it was also their opinion that this would relieve some of the flooding in Allandale, and this was the basis for disallowing the appeal and their recommendation to the Council that this be granted.

MR. CHARLES CROFT, representing the Association, pointed out that if the existing system were maintained, the only cost involved would be \$72,000 for detention as opposed to \$108,850 for the proposed system. In response to Mayor Pro Tem Love's question, Mr. Croft stated that they still believed that the water could be detained without the use of the proposed pipe.

In response to City Manager Davidson's comment that the Association had the commitment from the City that if this did not prove to be the best solution within 120 days, construction would begin at the Balcones Drive site, Mr. Croft indicated that their original reason for the appeal had been that the pipe would be in violation of the creek ordinance. In connection with this, City Manager Davidson stated that the staff and Planning Commission had determined that this did not in any way violate any provision of the creek ordinance.

In response to Mayor Butler's question as to whether or not the 60-inch pipe was symbolic, Mr. Croft stated that he was opposed to the installation of any pipe and hoped it would be directed downstream and not in the flow of the Creek. Mr. Graves mentioned that the plans would put the pipe almost perpendicular to the Creek. City Manager Davidson noted that the 60-inch pipe was not symbolic to the City; but he believed the residents in the area would be disappointed if a 36-inch pipe were installed and it did not abate the flooding, thereby requiring that the 36-inch pipe be removed and replaced.

DR. PHILIP LOWELL, Vice-President of Radian Corporation, addressed himself to the symbolism issue, stating that a 36-inch pipe would mean it would be carrying a lot less water to the Creek. He felt that the main issue was economics.

COL. HARVEY KLIMER showed a film depicting the flooding into his backyard. He felt that the proposed 60-inch pipe would increase the rate of flow.

MRS. JOE SENIOR stated that her situation had not changed in that she was being flooded and wanted to know what the City was going to do for her and hoped that the proposal would be effected now.

#### Motion

Mayor Pro Tem Love moved that the appeal be denied and the staff be directed to proceed with the four afore-mentioned recommendations with emphasis on the request to immediately start work on the detention concept. Councilman Dryden seconded the motion.

Substitute Motion

Councilman Friedman moved that the appeal be granted and the staff be instructed to implement the proposal for a 36-inch storm sewer with the initiation of a detention area on Balcones Drive and with the deflection of the 80-degree angle of the pipe coming out of the Creek to help eliminate potential erosion. Councilman Handcox seconded the substitute motion. Roll call showed the following vote:

Ayes: Councilmen Friedman, Handcox, Binder

Noes: Councilmen Dryden, Lebermann, Mayor Butler, Mayor Pro Tem Love

The substitute motion failed to carry by a 3 to 4 vote.

Prior to the roll call, City Manager Davidson had pointed out that the City was limited to the financial resources it had for future use as far as storm drainage was concerned; and the land in reference, if sold, could provide 4 to 6 times as much holding capacity for the same amount of money to help the people asking for assistance today. He added that the staff felt it would be "penny-wise and time foolish" to dedicate the land on Balcones to a solution that might not even be required in the future. He commented that he would rather see the pipe project authorized with the commitment that the City would create holding areas. He suggested that the Council could even specify that some of the money from the sale in the future be authorized for this kind of project within the Shoal Creek watershed. He concluded that the staff's concern was how the dollars involved would be utilized for the future so that it could benefit more people at the least possible cost. He felt that Councilman Friedman's suggestion would not do this.

In response to Mayor Butler's question, Mr. Graves listed the staff's four recommendations, as mentioned earlier. In response to Mayor Butler's further question with regard to putting a gate valve on the 60-inch pipe to decrease the rate of flow, Mr. Graves noted that the end section of the pipe could be removed and a 36-inch piece installed.

Roll Call on Original Motion

Roll call on Mayor Pro Tem Love's motion, Councilman Dryden's second, showed the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Dryden, Lebermann, Mayor Butler

Noes: Councilmen Binder, Friedman, Handcox

The motion carried by a 4 to 3 vote.

The Mayor announced that the appeal was denied.

## HEARING ON VACATION OF ALLEYS

Mayor Butler opened the public hearing scheduled for 1:00 p.m. on the proposed vacation of alleys and the passage of the ordinances. Mayor Butler introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING THAT CERTAIN PORTION OF EAST 5TH STREET ALLEY, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING AN EASEMENT IN THE CITY FOR DRAINAGE AND PUBLIC UTILITY PURPOSES; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Lebermann moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Lebermann, Mayor Butler,  
Councilmen Binder, Dryden  
Noes: None  
Not in Council Chamber when roll was called: Mayor Pro Tem Love

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING THAT CERTAIN PORTION OF WEST 10TH STREET ALLEY, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING AN EASEMENT IN THE CITY FOR DRAINAGE AND PUBLIC UTILITY PURPOSES; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Lebermann moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Binder, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Lebermann, Mayor Butler,  
Councilmen Binder, Dryden  
Noes: None  
Not in Council Chamber when roll was called: Mayor Pro Tem Love

The Mayor announced that the ordinance had been finally passed.

## CONTINUED HEARING ON AMENDMENTS TO HISTORIC ZONING ORDINANCE

Mayor Butler opened the continued public hearing from October 10, 1974, to consider the amendments to the historic designation section of the Zoning Ordinance. Mr. Richard Tulk, Assistant City Attorney, noted that one amendment had been inadvertently omitted from the newspaper and would have to be readvertised. It was pointed out that the omitted amendment defined who could appeal a decision of the Landmark Commission.

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 45 OF THE CODE OF THE CITY OF AUSTIN OF 1967; PROVIDING FOR THE DELETION OF SECTION 45-46(a)(2); PROVIDING FOR THE ADDITION OF SECTION 45-46(e)(6) ESTABLISHING THE AUSTIN CHAPTER OF THE AMERICAN SOCIETY OF REAL ESTATE APPRAISERS AS EX OFFICIO MEMBERS; PROVIDING FOR THE ADDITION OF SECTION 45-46(i) PROVIDING FOR THE CONSEQUENCE OF LACK OF FULL MEMBERSHIP ON THE LANDMARK COMMISSION; PROVIDING FOR THE AMENDMENT OF SECTION 45-46(g) ALTERING REQUIRED NUMBER OF MEETINGS AND REQUIRED QUORUM OF THE COMMISSION; PROVIDING FOR AMENDMENT TO SECTION 45-46(h) REQUIRING CERTAIN ATTENDANCE BY COMMISSION MEMBERS; PROVIDING FOR THE ADDITION TO SECTION 45-51(a) ESTABLISHING CERTIFICATES OF DEMOLITION AND REMOVAL; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Lebermann moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately, amending the historic designation section of the Zoning Ordinance as follows:

1. The fact that one or more representatives from the five fields of expertise may not at any given point in time be a member of the Landmark Commission, for whatever reason, shall not affect the validity of any decision or act of the Commission - Section 45-46(i).
2. The Landmark Commission shall meet at least once each month, with additional meetings upon call by the Commission Chairman or upon petition of a simple majority of Commission members. Six members present shall constitute a quorum, and issues shall be decided by a simple majority vote of the members present and voting. The Commission shall adopt appropriate rules and regulations for the conduct of its business and the election of its chairman and other officers. The minutes of each meeting shall be filed in the office of the City Clerk - Section 45-46(g).
3. Any appointed member of the Landmark Commission who fails to attend three consecutive regular meetings of the Landmark Commission or fails to attend at least 80 percent of all such regular meetings during any six-month period shall lose membership on the Commission, unless such failure to attend was the result of illness. Verification of attendance shall be based exclusively on the minutes of each meeting as filed with the City Clerk. The vacancy shall be filled by the City Council pursuant to Section 45-46(c) - Section 45-46(h).
4. If the Landmark Commission determines that the interest of preserving historical values will not be adversely affected by such demolition or removal or that the interest of preserving historical values can best be served by the removal of a structure to another specified location, it shall issue its certificate of demolition or its certificate of removal, as may be appropriate, to the building official; and the building official shall so advise the applicant within five days therefrom - Section 45-51(a).
5. The Real Estate Appraiser's membership on the Commission be changed from mandatory to advisory.

The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Butler, Mayor Pro  
Tem Love, Councilmen Binder, Dryden, Friedman  
Noes: None

The Mayor announced that the ordinance had been finally passed.

#### AMENDMENT TO LICENSE AGREEMENT

Mayor Pro Tem Love moved that the Council adopt a resolution authorizing an amendment to the following License Agreement:

STATE BAR OF TEXAS - permitting encroachment by underground parking facilities in a portion of the WEST 14TH STREET ALLEY in Block 174 of the Original City of Austin, to extend in a westerly direction eight and one-half (8.50) feet.

The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Mayor Pro Tem Love,  
Councilmen Binder, Dryden, Handcox  
Noes: None  
Not in Council Chamber when roll was called: Councilman Friedman

#### GRANTING LICENSE AGREEMENT

Mayor Pro Tem Love moved that the Council adopt a resolution granting the following License Agreement:

MR. W. G. McCLAIN - Permitting encroachment by wooden deck of swimming pool a distance of 2.33 feet over portion of Public Utilities Easement seven and one-half (7.50) feet in width on LOT 29, BLOCK A, BARTON HILLS, SECTION SEVEN, said Lot 29 also being known as 1805 Brookhaven Drive. (Requested by Mr. W. G. McClain, owner)

The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Butler, Mayor Pro Tem Love,  
Councilmen Binder, Dryden, Handcox  
Noes: None  
Not in Council Chamber when roll was called: Councilman Friedman

#### CONTRACTS AWARDED

Councilman Lebermann moved that the Council adopt a resolution awarding the following contract:

TRANS-TEX SUPPLY COMPANY	- Cast Iron Fittings
4618 East 7th Street	Central Stores Division
Austin, Texas	Item 1-20 - \$20,011.96

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro Tem Love, Councilmen Dryden,  
Handcox, Lebermann  
Noes: None  
Not in Council Chamber when roll was called: Councilmen  
Binder, Friedman

Councilman Lebermann moved that the Council adopt a resolution awarding the following contract:

AUSTIN PIPE & SUPPLY COMPANY	- Asbestos Cement Pipe
East 3rd and Medina	Central Stores Division
Austin, Texas	Item 1 - 300 feet @ \$2.27
	Item 2 - 600 feet @ \$3.40
	Item 3 - 1200 feet @ \$6.35
	Total \$10,341.00

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro Tem Love, Councilmen Dryden,  
Handcox, Lebermann  
Noes: None  
Not in Council Chamber when roll was called: Councilmen  
Binder, Friedman

Councilman Lebermann moved that the Council adopt a resolution awarding the following contract:

TRANS-TEX SUPPLY COMPANY	- Hydrants and Valves
4618 East 7th Street	Central Stores Division
Austin, Texas	Item 1 - 80 ea. @ \$276.80
	Item 2 - 50 ea. @ \$104.33
	Item 3 - 25 ea. @ \$161.86
	Item 4 - 25 ea. @ \$318.82
	Total \$39,377.50

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro Tem Love, Councilmen Dryden,  
Handcox, Lebermann  
Noes:; None  
Not in Council Chamber when roll was called: Councilmen  
Binder, Friedman

Councilman Lebermann moved that the Council adopt a resolution awarding the following contract:

J. C. EVANS CONSTRUCTION COMPANY	- For construction of Bullard Drive
9111 Reid	Easement Storm Sewer from Shoal
Austin, Texas	Creek to Great Northern Boulevard
	C.I.P. No. 7014 1 - \$108,850.00

The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro Tem Love, Councilmen Dryden,  
Handcox, Lebermann  
Noes: None  
Not in Council Chamber when roll was called: Councilmen Binder,  
Friedman

Councilman Lebermann moved that the Council adopt a resolution awarding the following contract:

WESTINGHOUSE ELECTRIC CORPORATION 1455 West Loop South Houston, Texas	- Supervisory engineering services, spare parts, and equipment rental for disassemble, inspection, and preventive maintenance work for Steam Turbine Unit #1, Decker Power Plant, Electric Utility Department - \$64,840.00.
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The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro Tem Love, Councilmen Dryden,  
Handcox, Lebermann  
Noes: None  
Not in Council Chamber when roll was called: Councilmen Binder,  
Friedman

Councilman Lebermann moved that the Council adopt a resolution awarding the following contract:

HERTZBERG-NEW METHOD INC. Vandalia Road Jacksonville, Illinois	- Hardbinding Paper Back Books Twelve Month Supply Agreement \$1.24 per book - \$25,000.00
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The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro Tem Love, Councilmen Dryden,  
Handcox, Lebermann  
Noes: None  
Not in Council Chamber when roll was called: Councilmen Binder,  
Friedman

Councilman Lebermann moved that the Council adopt a resolution awarding the following contract:

JOE BADGETT CONSTRUCTION COMPANY P. O. Box 9401 Austin, Texas	- Construction Contract for Model Cities and Other Parks Improvements - \$138,510.50
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The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Butler, Mayor Pro Tem Love, Councilmen Dryden,  
Handcox, Lebermann  
Noes: None  
Not in Council Chamber when roll was called: Councilmen Binder,  
Friedman

#### CASH SETTLEMENTS

Councilman Handcox moved that the Council adopt a resolution authorizing cash settlement as follows:

CHRISTIERS OF AUSTIN, INC. - For 60/40% cash settlement for water installation to serve T. L. Subdivision. Total cost \$4,173.13. City's share at 60% - \$2,503.88; Developer's share at 40% - \$1,669.25.

The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Dryden, Handcox, Lebermann,  
Mayor Butler  
Noes: None  
Not in Council Chamber when roll was called: Councilmen Binder,  
Friedman

Councilman Handcox moved that the Council adopt a resolution authorizing cash settlement as follows:

J. C. PETERSON CONSTRUCTION COMPANY - For 60/40% cash settlement for wastewater installation to Ziaja Addition. Total cost \$4,135.00. City's share at 60% - \$2,481.00; Developer's share at 40% - \$1,654.00.

The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Dryden, Handcox, Lebermann,  
Mayor Butler  
Noes: None  
Not in Council Chamber when roll was called: Councilmen Binder,  
Friedman

#### CANCELLATION OF LICENSE AGREEMENT

Mayor Pro Tem Love moved that the Council adopt a resolution authorizing cancellation of a License Agreement with Dobie Center for the construction of a bicycle parking rack in the 2000 block of Whitis. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Handcox, Lebermann, Mayor Butler,  
Mayor Pro Tem Love  
Noes: None  
Not in Council Chamber when roll was called: Councilmen Binder,  
Friedman

## AUTHORIZATION OF ONE-WAY ALLEY

Councilman Lebermann moved that the Council adopt a resolution authorizing one-way alley from SAN JACINTO STREET to TRINITY STREET between 6TH and 7TH STREETS, for one-way traffic eastbound. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Handcox, Lebermann, Mayor Butler,  
Mayor Pro Tem Love  
Noes: None  
Not in Council Chamber when roll was called: Councilmen Friedman,  
Binder

## ACCEPTANCE OF MINUTE ORDERS

Councilman Lebermann moved that the Council adopt a resolution authorizing the City Manager to accept the following Minute Orders:

1. West 38th Street improvements from Loop 275 to West 35th Street - Minute Order 69381.
2. Pleasant valley Road improvements from Webberville Road to 7th Street - Minute Order 69380.
3. Burnet Road improvements from U. S. Highway 183 to Anderson Lane - Minute Order 69379.
4. Springdale Road improvements from Manor Road to 19th Street - Minute Order 69378.

The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Pro Tem Love,  
Councilman Dryden  
Noes: None  
Not in Council Chamber when roll was called: Councilman Friedman,  
Mayor Butler, Councilman Binder

## AGREEMENT FOR CONTINUATION OF VISTA PROGRAM

Councilman Lebermann moved that the Council adopt a resolution authorizing the City Manager to sign a Memorandum of Agreement between the Federal Action Agency and the Community Development Office for the continuation of the Vista Program from August 31, 1974 to August 31, 1975. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Pro Tem Love,  
Councilman Dryden  
Noes: None  
Not in Council Chamber when roll was called: Mayor Butler,  
Councilmen Binder, Friedman

## APPLICATION TO PRODUCE ORIGINAL PLAY

Councilmen Lebermann moved that the Council adopt a resolution authorizing submission of an application to the National Endowment for the Arts, for a \$4,650 grant to produce an original play entitled TEXAS HILL COUNTRY. Total cost of project \$9,300; \$3,592 provided through in-kind and \$1,058 from the Parks and Recreation Department budget. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Pro Tem Love, Councilmen Dryden, Handcox

Noes: None

Not in Council Chamber when roll was called: Mayor Butler, Councilmen Binder, Friedman

Mr. Jack Robinson, Parks and Recreation Director, noted that this was a play by Dr. Dorothy Dodd, University of Texas, and was based on the early life and times of Lyndon Baines Johnson and would draw participation from the various ethnic and cultural communities reflecting the heritage of this area. He added that the play would be presented eight times at Zilker Hillside Theater and other areas of the City as well as other Central Texas Communities.

## GRANT FOR CONTINUATION OF SUPPLEMENTAL FOOD PROGRAM

Councilman Dryden moved that the Council adopt a resolution authorizing the Health Department to accept a grant from the Texas State Department of Health in the amount of \$583,700 for the continuation of the Supplemental Food Program for Women, Infants and Children (WIC). (Contract period from July 1, 1974, to June 30, 1975) The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilman Dryden, Handcox, Lebermann

Noes: None

Not in Council Chamber when roll was called: Mayor Butler, Councilmen Binder, Friedman

CONTRACTS WITH AGENCIES IN ACCORDANCE  
WITH BUDGETARY ACTION

Councilman Lebermann moved that the Council adopt a resolution authorizing the City Manager to enter into contracts with the following agencies in accordance with appropriations approved on September 19, 1974:

<u>AGENCY</u>	<u>CONTRACT TERM</u>	<u>ALLOCATION</u>
People's Free Clinic	Nov. 1, 1974 ~ Oct. 31, 1975	\$20,000
Laguna Gloria Art Museum	Nov. 1, 1974 ~ Oct. 31, 1975	\$33,000

The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Binder, Dryden, Handcox,  
Lebermann  
Noes: None  
Not in Council Chamber when roll was called: Councilman Friedman,  
Mayor Butler

ACQUISITION OF LAND FOR EAST 16TH STREET  
AND CLIFFORD AVENUE

Councilman Handcox moved that the Council adopt a resolution authorizing the acquisition of certain land for widening and paving both East 16th Street and Clifford Avenue:

2,464 square feet of land out of Outlot 28, Division "B",  
2920 East 16th Street (Isiah Washington, et ux)

The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Binder, Dryden, Handcox, Lebermann, Mayor  
Butler  
Noes: None  
Not in Council Chamber when roll was called: Councilman Friedman,  
Mayor Butler

ACQUISITION OF LAND FOR BOGGY CREEK LIFT STATION

Councilman Handcox moved that the Council adopt a resolution authorizing the acquisition of certain land for the Boggy Creek Lift Station Site and Easement:

Two tracts of land out of the James Burleson Survey No. 19,  
(John F. Lanier, Jr., and Don Lyda)

The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Binder, Dryden, Handcox, Lebermann, Mayor  
Butler  
Noes: None  
Not in Council Chamber when roll was called: Councilman Friedman,  
Mayor Butler

ACQUISITION OF LAND FOR  
ST. JOHNS DRAINAGE PROJECT

Councilman Handcox moved that the Council adopt a resolution authorizing the acquisition of 7501 Bennett Avenue (Moses White and Mahalia Walker) for the St. Johns Drainage Project. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Binder, Dryden, Handcox, Lebermann, Mayor  
Butler  
Noes: None  
Not in Council Chamber when roll was called: Councilman Friedman,  
Mayor Butler

## AUTHORIZATION OF EMINENT DOMAIN PROCEEDINGS

Councilman Handcox moved that the Council adopt a resolution authorizing eminent domain proceedings on the following for acquisition of land for the East 16th Street and Clifford Avenue Street paving project:

523 square feet of land out of a 0.13 acre tract out of Lot 18, Henry Ullit's Unrecorded subdivision of Outlot 28, Division B of the Government Outlots. (1609 Clifford Avenue)

The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Binder, Dryden, Handcox, Lebermann, Mayor Butler  
Noes: None  
Not in Council Chamber when roll was called: Councilman Friedman,  
Mayor Butler

Councilman Handcox moved that the Council adopt a resolution authorizing eminent domain proceedings on the following for acquisition of land for the East 16th Street and Clifford Avenue Street paving project:

529 square feet of land out of a 0.25 acre tract of land out of Outlot 28, Division B of the Government Outlots. (1608 Clifford Avenue)

The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Binder, Dryden, Handcox, Lebermann, Mayor Butler  
Noes: None  
Not in Council Chamber when roll was called: Councilman Friedman,  
Mayor Butler

Councilman Handcox moved that the Council adopt a resolution authorizing eminent domain proceedings on the following for acquisition of land for the East 16th Street and Clifford Avenue Street paving project:

North 5 feet of Lot 15, Block 2, Chernosky Subdivision No. 4.  
(2919 East 16th Street)

The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Binder, Dryden, Handcox, Lebermann, Mayor Butler  
Noes: None  
Not in Council Chamber when roll was called: Councilman Friedman,  
Mayor Butler

## SUBDIVISION DEVELOPMENT PARTICIPATION POLICIES

Councilman Lebermann moved that the Council adopt a resolution implementing the recommendations of the Special Task Force Committee on Subdivision Development Participation Policies. (Effective January 1, 1975) The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Handcox, Lebermann, Mayor  
Butler, Mayor Pro Tem Love, Councilman Binder  
Noes: None

#### CONTRACT CONCERNING LAND

Councilman Handcox moved that the Council adopt a resolution authorizing the City Manager to execute a contract with Edward R. Rathgeber, Jr. and others, accepting certain park land and other land donations, purchasing certain park land and other land, and amending a contract with Rathgeber and others dated February 9, 1972. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Pro Tem Love,  
Councilmen Binder, Dryden  
Noes: None  
Not in Council Chamber when roll was called: Councilman Friedman,  
Mayor Butler

#### PRESENTATION CONCERNING RESTORATION PROJECTS

Mrs. Glen M. Tooke, Jr., representing the Heritage Society of Austin, appeared before the Council to give a slide presentation concerning restoration projects in Austin. It was noted that the following structures received the Society's 1974 awards:

1. Richard Hill home (1910 Blanco Street)
2. June Brooks home (1500 West 9th Street)
3. St. Edward's Old Main Building
4. TMI Building (1105 West 12th Street)
5. River City Inn Building (East 6th Street)
6. Palm-Gathe house (Guadalupe & West 7th Street)
7. LeBouquet Antique Shop (1802 Lavaca)
8. Boswell House (801 Rio Grande)

#### ITEM CONCERNING COAL-BURNING POWER PLANTS

It was noted that Mr. Billy Spence, representing International Anti-pollution Engineering, had requested to appear before the Council concerning coal-burning power plants. However, because this had been discussed earlier in the Special Session at 11:00 a.m. with L.C.R.A., this item was not considered.

## APPROACH MAIN CONTRACT WITHDRAWN

Consideration of the following 5-year approach main contract was withdrawn:

JACK ANDREWARTHA

- For wastewater approach main in Barton Hills, Section 7A, Sub-division - \$10,719.98

## ITEM CONCERNING UNITED WAY CAMPAIGN

City Manager Davidson took this opportunity to announce that the City employees had a goal of \$88,942 in connection with the United Way campaign; however, so far \$89,639 had been subscribed in connection with this drive.

## RECOGNITION

Mr. Davidson announced that the Texas Society of Professional Engineers had presented Mr. Charles Graves, Director of Engineering, with the Government Professional Development Award for the State of Texas.

## ITEM CONCERNING INCREASE IN FUEL

Mr. R. L. Hancock, Electric Utility Director, took this opportunity to note that after having received communication from LoVaca Gathering Company, projections were that the cost of fuel for October would be \$1.19 per 1,000 cubic feet, with last month's cost being about \$.80. In response to Mayor Butler's question, Mr. Hancock stated that this would probably be reflected on the customers' bills in about 2 months.

## ADJOURNMENT

The Council adjourned at 3:40 p.m.

APPROVED

*Ray Butler*  
\_\_\_\_\_  
Mayor

ATTEST:

*Grace Monroe*  
\_\_\_\_\_  
City Clerk